TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

FEBRUARY 17, 2015

The Meeting was called to order at 7:30 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Fitzpatrick. The Open Public Meetings Act Statement was read by Township Clerk Kathy Bowditch. Ms. Bowditch noted that this is a non-smoking facility and she requested that all cell phones be silenced at this time.

ROLL CALL: GABEL, LYDEN, FITZPATRICK, SCOLLANS, GOLINSKI
ABSENT: KUSER, SMITH
ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD AND TOWNSHIP ATTORNEY JANSEN.

LIAISON REPORTS:
Councilman Scollans reported that the Board of Education will meet on February 26th. He said that the Council and the public will be invited to discuss the Union Hill School House. Mr. Scollans advised that the Morris County Community Development Committee will hold a lunch meeting at the Budd Lake Firehouse on February 19th, at which time packages will be distributed to each community. Councilman Scollans noted that the last two Deer Management Committee meetings were canceled due to inclement weather. He added that the PRIDE dinner will be held on March 20th.

Councilman Fitzpatrick noted that the Rivers & Streams Committee was not able to meet but things are going well with the Chamber of Commerce and the Beautification Committee.

Councilwoman Lyden reported that the Trails and Paths Committee will meet next week to discuss the beautification of the area around Muriel Hepner Park.

Councilman Gabel had nothing to report.

President Golinski reported that he attended the Recreation Committee meeting which focused on Project Playground. He advised that another meeting on that subject will be held tomorrow night, February 18th.

MAYOR’S REPORT:
Mayor Andes advised that, since the last meeting, he and Administrator Ward met with staff members and representatives of the NJ Dept. of Transportation (NJDOT). He said that the meeting focused on Route 53, which is on the NJDOT’s schedule to be paved. The Mayor added that NJDOT plans to upgrade the crossings and make them handicapped accessible. The Mayor noted that the project is a couple of years in the future. He said that he asked them to include all handicapped lighting and traffic lights and also to consider widening the intersection at Fox Hill Road. Additional right-of-way may need to be acquired. The Mayor advised that some of that work may be included in a second project.
ADMINISTRATOR’S REPORT:
Administrator Ward reported that the application for a Morris County Community Development Block Grant for Phase II of improvements to the Senior Center had to be revised. He explained that the County does not consider the installation of showers to be a fundable expense. Mr. Ward advised that he and John Ciardi will be making a presentation before the County Grant Committee regarding the amended grant application on March 2nd.
Administrator Ward noted that two (2) ordinances will be brought to the Council in the near future:
- A minor change to the grease trap ordinance to regulate the removal of waste. Health Officer Perez has provided some revised wording.
- An ordinance to authorize the use of certain Township rights-of-way by Lightower Fiber Networks 1, LLC, which is a company that installs fiber optic cable on Verizon’s poles.

CORRESPONDENCE: All copied to Council.

OPEN PUBLIC PORTION: No one wished to be heard.

CLOSE PUBLIC PORTION.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Fitzpatrick commented that he spoke with Administrator Ward and CFO Guarino regarding the budget. He said that the information provided to him in that meeting made him extra comfortable with this budget.
Councilman Scollans noted that he suggested putting the Council meetings on YouTube. He asked about the status of that suggestion.
President Golinski replied that, as he recalls the conversation, he indicated that he would like to see how the Board of Education’s use of YouTube works out and revisit the suggestion in a couple of months. There followed a brief discussion concerning the use of YouTube.
President Golinski asked Councilman Scollans to garner any information he can on the subject from the Board of Education. He said that the topic will be added to a workshop agenda shortly.
Councilman Scollans spoke of two (2) gas stations, one at each end of town, that are in disrepair. He said that they deface the Township and asked if anything can be done about them.
Administrator Ward replied that one of the stations has a NJDEP case file open on it due to soil contamination and the other one may have similar problems. Mr. Ward noted that the station with the NJDEP file has also received property maintenance violations. The Administrator noted that the Township has made an effort to acquire the property and the County is willing to partner with the Township to purchase the property. He added that it would be contingent upon the property being cleaned up and receiving an okay from NJDEP. Mr. Ward advised that the property owner was granted a one year extension by the NJDEP to clean up the contamination.
ORDINANCES FOR ADOPTION:

#01-15
BE IT RESOLVED that an Ordinance entitled:
An Ordinance to Amend Chapter IV, General Licensing, Section 4-7, Peddlers and Solicitors, of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey.

Be Read by Title on Second Reading and a Hearing Held Thereon:

MOTION TO READ BY TITLE: MOVED BY MEMBER GABEL, SECONDED BY MEMBER LYDEN
AYES: GABEL, LYDEN, FITZPATRICK, SCOLLANS, GOLINSKI
ABSENT: KUSER, SMITH

Open Public Hearing: No one wished to be heard.
Close Public Hearing.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance to Amend Chapter IV, General Licensing, Section 4-7, Peddlers and Solicitors, of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey.

Be passed on Final Reading and that a Notice of Final Passage be Published in the 02-25-2015 issue of The Citizen Newspaper.

MOTION TO ADOPT: MOVED BY MEMBER GABEL, SECONDED BY MEMBER FITZPATRICK
AYES: GABEL, FITZPATRICK, LYDEN, SCOLLANS, GOLINSKI
ABSENT: KUSER, SMITH

ITEMS FOR DISCUSSION AND/OR ACTION:
President Golinski asked if there is any need for further discussion on the budget. He noted that it seems as though the budget is ready to be introduced at the March 3rd Council meeting.
President Golinski asked if it would be appropriate to cancel the March 5th and March 9th scheduled budget meetings at this time. Administrator Ward replied that they were specifically designated as budget meetings so, if the Council has no additional questions about the budget, he does not see any reason to have those meetings.
President Golinski stated that, just to be prudent, he will not cancel the March 5th and March 9th meetings until the March 3rd meeting is concluded.

President Golinski asked if anyone from the Council or the public wished to have anything removed from the Consent Agenda. No one responded.
CONSENT AGENDA:
R-15-57: Resolution Extending Advice and Consent of the Township of Denville Municipal Council to a Mayoral Appointment to the Green Sustainable Committee.
R-15-58: Resolution Authorizing Person to Person Transfer of New Jersey Plenary Retail Consumption License (Hotel/Motel Exception) #1408-36-019-002.
R-15-60: Resolution Authorizing Raffle License(s) in the Township of Denville.
R-15-62 Resolution Authorizing the Waiver of Temporary Food License Fees for Specific Annual Events Promoted by the Denville Chamber of Commerce.
R-15-63 Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $40.00.

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER FITZPATRICK.
AYES: SCOLLANS, FITZPATRICK, GABEL, LYDEN, GOLINSKI.
ABSENT: KUSER, SMITH.

NON-CONSENT RESOLUTIONS:
R-15-64 Resolution Authorizing Transfer of Calendar Year 2014 Budget Appropriations.

MOTION TO APPROVE R-15-64: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.
AYES: SCOLLANS, LYDEN, GABEL, FITZPATRICK, GOLINSKI.
ABSENT: KUSER, SMITH.

R-15-65 Resolution Awarding a Contract to TruGreen for Turf Maintenance in the Amount of $38,967.00.

MOTION TO APPROVE R-15-65: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL.
Discussion: Councilman Fitzpatrick asked if the Township had to go out to bid for this and accept the lowest bidder. Administrator Ward replied that this is an extension of an existing contract. Attorney Jansen advised that this is not an extension of a contract but rather an award pursuant to a Somerset County Cooperative Pricing Bid, and hence public bids were not required.
AYES: SCOLLANS, GABEL, FITZPATRICK, LYDEN, GOLINSKI.
ABSENT: KUSER, SMITH.

R-15-66 Resolution Authorizing the Refund of Taxes Due to the Judgment by the Tax Court of New Jersey in the Amount of $684,684.00.

MOTION TO APPROVE R-15-66: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.
AYES: SCOLLANS, LYDEN, GABEL, FITZPATRICK, GOLINSKI.
ABSENT: KUSER, SMITH.
MOTION TO APPROVE MINUTES OF 2-3-15, 2-9-15 AND 2-10-15: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER FITZPATRICK.  
AYES:  SCOLLANS, FITZPATRICK, GABEL, LYDEN, GOLINSKI.  
ABSENT:  KUSER, SMITH.  

MOTION TO ADJOURN: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.  
AYES:  UNANIMOUS.  

The Meeting adjourned at 7:52 p.m.  

Respectfully submitted by,  

Kathleen A. Costello  
Deputy Township Clerk